

EXHIBIT G

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY  
STATE OF MISSOURI**

|   |   |                       |
|---|---|-----------------------|
| JEFFERSON COUNTY,                         | ) |                       |
|   | ) |                       |
| Plaintiff                                 | ) |                       |
|   | ) |                       |
| v.  | ) | Case No. 20JE-CC00029 |
|   | ) |                       |
| DANNIE E. WILLIAMS, M.D., <i>et al.</i> , | ) | Division No. 1        |
|   | ) |                       |
| Defendants.                               | ) |                       |

**JOINT STIPULATION AND CONSENT ORDER**

Plaintiff Jefferson County (“County”) and Defendant OptumRx, Inc. (“OptumRx”), by and through their undersigned counsel, jointly stipulate as follows:

**WHEREAS**, on November 8, 2021, the County stipulated with the Express Scripts Defendants<sup>1</sup> that in the above-styled state court proceeding, “the Second Amended petition . . . does not seek to establish dispensing liability against any of the PBMs”;

**WHEREAS**, on March 16, 2022, the County stipulated with the PBM Defendants,<sup>2</sup> including OptumRx, that in this state court proceeding, the County will not “seek to establish liability against any of the PBM Defendants in connection with any Federal Plan [defined below]”; and

**WHEREAS**, the County and OptumRx wish to enter into this agreement to obviate any dispute regarding the scope of dispensing activities at issue in the above-

---

<sup>1</sup> The “Express Scripts Defendants” are Express Scripts, Inc., Express Scripts Pharmacy, Inc., and Evernorth Health, Inc. (formerly Express Scripts Holding Company).

<sup>2</sup> The “PBM Defendants” are OptumRx, Inc., Express Scripts, Inc., Evernorth Health, Inc. (formerly Express Scripts Holding Company), Express Scripts Pharmacy, Inc., CVS Pharmacy, Inc., Caremark L.L.C., and Caremark PCS Health, L.L.C.

styled state court litigation related to OptumRx, Inc., LeeHar Distributors, LLC (“LDI”), Diplomat Pharmacy, Inc., or any other OptumRx parent, subsidiary, sister company, or affiliate (collectively, the “Optum Entities”).

**ACCORDINGLY, IT IS STIPULATED AND AGREED**, between the County and OptumRx, that:

1. The Second Amended Petition does not seek to establish pharmacy dispensing liability against any Optum Entity.
2. The County is not seeking and will not in the future seek recovery in this state court proceeding against the Optum Entities based on pharmacy dispensing activities (which include mail-order pharmacy activities).
3. The County does not seek to and will not pursue any claims in this state court proceeding against any Optum Entity for failure to comply with dispensing standards applicable to entities licensed or registered to dispense opioids.
4. The County will not now or at any time in the future in this state court proceeding seek to establish liability against any of the Optum Entities in connection with any Federal Plan. A “Federal Plan” means any health care plan that is fully or partially funded by the federal government, any plan that is administered for any federal agency, or any plan that is delegated for administration by any federal agency. Federal Plans include, but are not limited to TRICARE, Federal Employment Health Benefits Act (“FEHBA”) plans, Employer Group Waiver Plans (“EGWP”), and Medicare Part D plans.
5. The County will not now or at any time in the future in this state court proceeding take the position or pursue any argument suggesting that the Optum Entities’ conduct relating to prescription claims for Federal Plans caused an oversupply of prescription opioids in Jefferson County, contributed to the theories of liability against OptumRx upon which the County bases its

lawsuit, or caused or contributed to the harms for which the County seeks recovery.

6. The County will not seek discovery focused primarily on the dispensing activities of any Optum Entity. OptumRx may withhold from production any document or information focused primarily on the dispensing activities of any Optum Entity and may redact from an otherwise responsive document information focused primarily on the dispensing activities of any Optum Entity.

7. Except as expressly set forth herein, nothing in this stipulation limits OptumRx's or the County's rights in this litigation in any way, including OptumRx's or the County's rights to pursue discovery related to the Optum Entities, to introduce or object to evidence, and to present arguments and defenses. OptumRx expressly reserves the right to object to any discovery request relating to any Optum Entity.



**SO ORDERED**, this 19 day of July, 2022

Hon. Joseph Rathert

*/s/ John F. Garvey*

**CAREY DANIS & LOWE**

Jeffrey J. Lowe, #35114

John F. Garvey, #35879

Sarah Shoemake Doles, #45747

Alyson M. Petrick, #68323

8235 Forsyth Blvd

St. Louis, MO 63105

Tel: (314) 725-7700

Fax: (314) 721-0905

jlowe@careydanis.com

jgarvey@careydanis.com

sdoles@careydanis.com

apetrick@careydanis.com

**THE CICALA LAW FIRM PLLC**

Joanne Cicala (admitted *pro hac vice*)

Joshua Wackerly (admitted *pro hac vice*)  
R. Johan Conrod (admitted *pro hac vice*)  
101 College Street  
Dripping Springs, TX 78620  
Tel: (512) 275-6550  
Fax: (512) 858-1801  
joanne@cicalapllc.com  
josh@cicalapllc.com  
johan@cicalapllc.com

*(Attorneys for Plaintiff Jefferson County)*

/s/ Bradley J. Schlozman

Bradley J. Schlozman  
Missouri Bar No. 48811  
HINKLE LAW FIRM LLC  
1617 North Waterfront Parkway,  
Suite 400  
Wichita, Kansas 67206  
Tel.: (316) 267-2000  
Fax: (316) 630-8466  
[bschlozman@hinklaw.com](mailto:bschlozman@hinklaw.com)

Daniel S. Simon  
Missouri Bar # 47566  
**DANIEL SIMON LAW**  
2635 S. Providence Rd. Suite 105  
Columbia, MO 65203  
Tel.: (573) 256-8989  
Fax.: (573) 256-5044  
[dan@dansimonlaw.com](mailto:dan@dansimonlaw.com)

Brian D. Boone  
(*Admitted pro hac vice*)  
North Carolina Bar No. 38910  
Emily C. McGowan  
(*Admitted pro hac vice*)  
North Carolina Bar No. 44543  
**ALSTON & BIRD LLP**  
101 South Tryon Street  
Suite 4000  
Charlotte, NC 28280  
Tel.: (704) 444-1000  
Fax: (704) 444-1111  
[brian.boone@alston.com](mailto:brian.boone@alston.com)  
[emily.mcgowan@alston.com](mailto:emily.mcgowan@alston.com)

William H. Jordan  
(*Admitted pro hac vice*)  
Georgia Bar No. 405112  
Caroline Rawls Strumph  
(*Admitted pro hac vice*)  
Georgia Bar No. 250168  
**ALSTON & BIRD LLP**  
1201 West Peachtree Street NW,  
Suite 4900  
Atlanta, GA 30309  
Tel.: (404) 881-7000

Fax: (404) 881-7777  
[bill.jordan@alston.com](mailto:bill.jordan@alston.com)  
[caroline.strumph@alston.com](mailto:caroline.strumph@alston.com)

Kimberly K. Chemerinsky  
(*Admitted pro hac vice*)  
California Bar No. 277637  
Ethan J. Bond  
(*Admitted pro hac vice*)  
California Bar No. 316532  
**ALSTON & BIRD LLP**  
333 South Hope Street, 16th Floor  
Los Angeles, CA 90071  
Tel.: (213) 576-1000  
Fax: (213) 576-1100  
[kim.chemerinsky@alston.com](mailto:kim.chemerinsky@alston.com)

(*Attorneys for OptumRx, Inc.*)